



FREDERICK COUNTY PLANNING COMMISSION

July 10, 2013

TITLE: **Beckley's Camping Center**

FILE NUMBER: **SP 98-33, (AP# 13475, APFO#13582, FRO#13482)**

REQUEST: **Site Plan and APFO Approval**

The Applicant is requesting Site Plan and Adequate Public Facilities Ordinance approval to expand an existing RV Sales and Service Center by constructing 100 RV parking spaces on 3.43 acres of a 9.82-acre site.

PROJECT INFORMATION:

ADDRESS/LOCATION: 11109 Angleberger Road, Located at the corner of US 15 and Angleberger Road.

TAX MAP/PARCEL: Tax Map 40/Parcel 448
COMP. PLAN: General Commercial
ZONING: General Commercial
PLANNING REGION: Frederick
WATER/SEWER: NPS (No Planned Service)

APPLICANT/REPRESENTATIVES:

APPLICANT: Kelly T. Shanholtzer & John Craig Beckley
OWNER: Kelly T. Shanholtzer & John Craig Beckley
ENGINEER: B&R Design Group
ARCHITECT: Not Listed
ATTORNEY: Not Listed

STAFF: Tolson DeSa, Principal Planner II

RECOMMENDATION: Conditional Approval

ATTACHMENTS:

Exhibit 1-Site Plan Rendering
Exhibit 2-Beckley's Camping Center Expansion Letter of Understanding (LOU)

STAFF REPORT

ISSUE

Development Request

The Applicant is requesting Site Plan and Adequate Public Facilities Ordinance approval to expand an existing RV Sales and Service Center by constructing 100 RV parking spaces on 3.43 acres of a 9.82-acre site.. The proposed use is being reviewed as an "Auto Sales and Service Center" land use under the heading of *Automobiles and Related Service* per §1-19-5.310 Use Table in the Zoning Ordinance and is a principal permitted use in the General Commercial (GC) Zoning District subject to site development plan approval.

BACKGROUND

Development History

The subdivision creating this lot dates to the late 1970's, early 80's. In 1983 the Planning Commission approved the convenience store on Lot 1, which located the common access entrance as shown on the previously approved plan and noted certain conditions.

Previous approvals for development on the subject property include:

- Construction of a 9,000 square foot one-story RV maintenance center with 42 parking spaces on December 9, 1998.
- Construction of a 1,500 square foot building addition in March of 2001
- Construction of a 40' x 60' ft building for future RV sales and service, an additional parking area for RV storage and repair, and a 12 space employee parking area to the north of the existing sales and service building on June 8, 2011

The June 8, 2011 approval was broken down into two phases:

Phase One consisted of the following:

- A 50-space RV Repair parking area composed of asphalt milling.
 - This area is existing and is used for orderly parking and storage of RV's that are in various stages of repair and service
- A 53-space RV Parking and storage area composed of asphalt paving.
 - This area is existing and is used for customer and RV sales and service parking
- A 12-space employee parking area
 - This area is existing and in use

Phase Two consisted of the following:

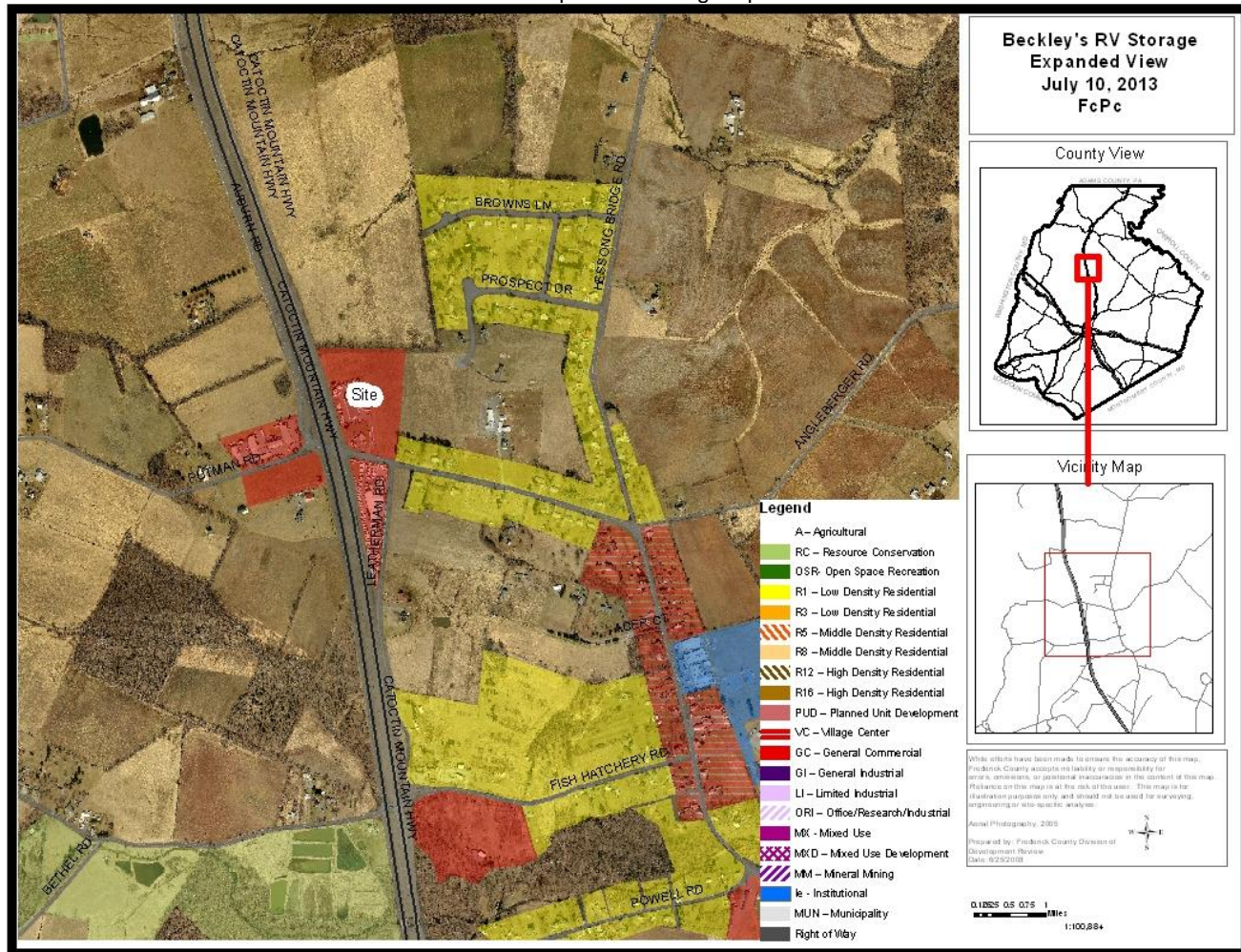
- Future construction of one 50' x 60' sales and service building. This construction will cause the removal of 4 RV parking spaces on site. This improvement has been previously approved although not constructed to date.

The most northern 3.43 acre portion of this site was rezoned from Agricultural to General Commercial as part of the Comprehensive rezoning in 2011/2012, specifically as rezoning case 11-FR-36. The proposed 100 RV parking spaces will be located in the newly rezoned General Commercial portion of the site.

Existing Site Characteristics

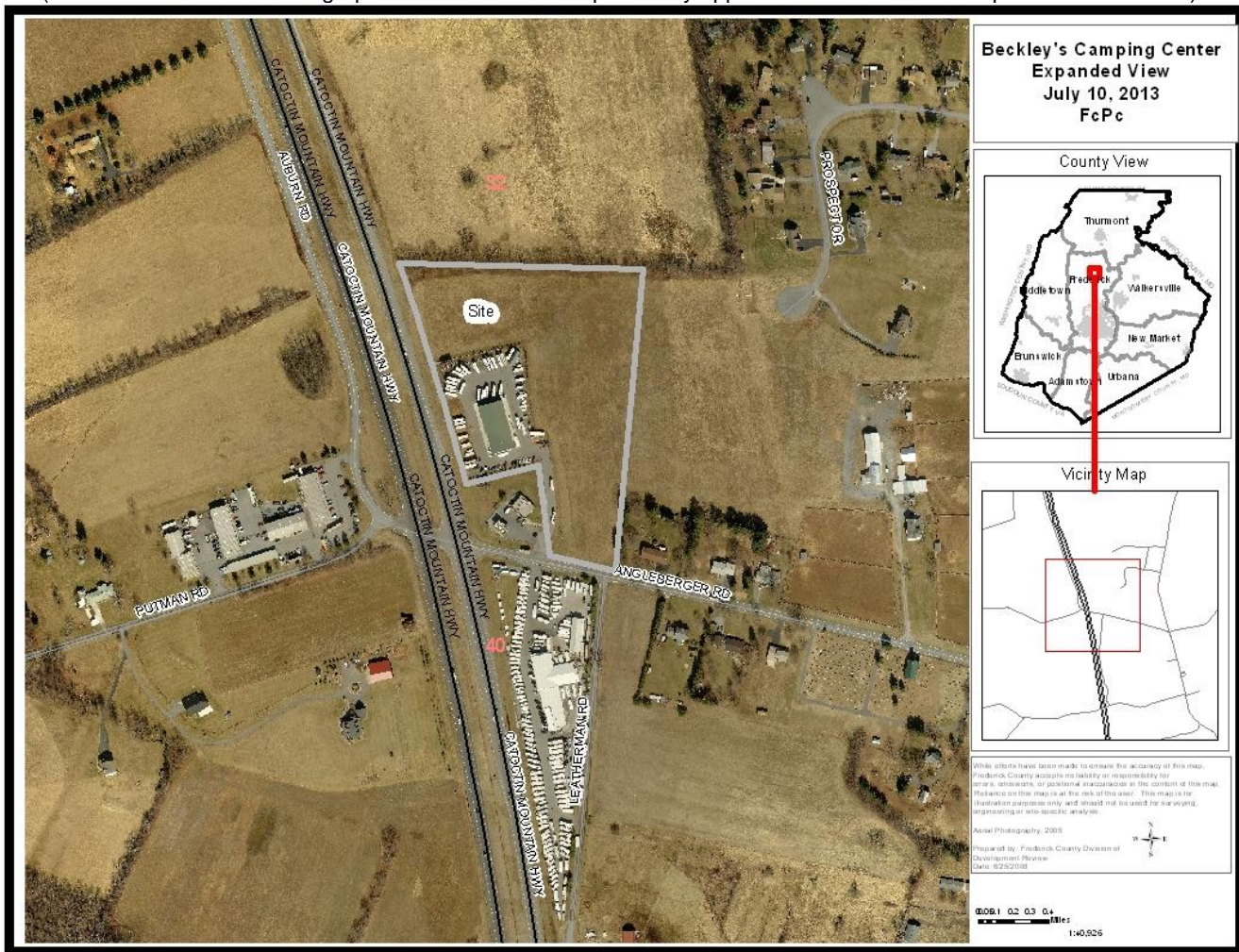
The portion of the site where the proposed 100 parking spaces will be located is currently zoned General Commercial (GC), and is vacant, although graded and vegetatively stabilized. The property to the north of the site is vacant agricultural land, the adjacent property to the immediate south is zoned GC and is developed with a 7-11 convenience store with fuel islands. The adjacent property to the east is zoned Agricultural and is developed with a farmstead. The property to the north-east is zoned R-1, Low Density Residential and is developed with the Mount Pleasant Estates residential subdivision.

Graphic #1 Zoning Map



Graphic #2 Site Aerial

(Please note that the below graphic does not show the previously approved and constructed improvements on site.)



ANALYSIS

Summary of Development Standards Findings and Conclusions

The most significant issue associated with this development was designing a landscape buffer along US 15. US 15 is designated as a federally, and locally-recognized Scenic Byway. The topography of the site favored the overall buffering of the RV parking area from US 15 because the stormwater management facilities are located between US 15 and the proposed parking area. The Applicant also worked with staff to preserve existing vegetation and supplement the site plan with as much buffer plantings as practically feasible. The existing and proposed landscaping will form a reasonably dense buffer in the future which will improve the overall aesthetic of this site from US 15.

Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County zoning ordinance.

Site Development §1-19-3.300.4 (A): Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.

Findings/Conclusions

1. **Dimensional Requirements/Bulk Standards §1-19-6.100:** Section §1-19-6.100 of the Zoning Ordinance stipulates the setback requirements and the minimum lot area for the proposed use. The setback requirements are 25-foot front yard and 25-foot rear yard, with 8-foot side yards. The maximum height allowed is 60 feet. The minimum lot size for the zoning district is 12,000 square feet. The proposed development meets the Bulk/Dimensional requirements.
2. **Signage §1-19-6.300:** The Applicant is not proposing any additional signage as part of this application.
3. **Landscaping §1-19-6.400:** The Applicant has worked with Staff in order to include a substantial, landscape plan for this site. The proposed landscaping contains a variety of plant species, which provide screening as well as improved aesthetics. The planting schedule follows the standard sizes that have been approved by the Planning Commission in previous proposals. The landscape plan adheres to the requirements of §1-19-6.400 of the zoning ordinance.
4. **Screening §1-19-6.400:** Staff worked with the Applicant in order to supplement the existing and proposed landscaping along US 15 in order to screen the RV storage area.
5. **Lighting §1-19-6.500:** The Applicant is proposing lighting the 100 proposed RV parking spaces with 9-18' pole lights at locations shown on the plan which adheres to lighting requirements of §1-19-6.500 of the zoning ordinance. The lighting within the proposed plan will be contained within the 3.43 acre area of RV parking. In addition, the Applicant has noted on the plan that lighting will not exceed 0.5 ft/candles at the periphery of the site and lighting will be directional onto the site through the use of shielding and lighting orientation.

Transportation and Parking §1-19-3.300.4 (B): *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

Findings/Conclusions

1. **Access/Circulation:** Access to the site will continue through the existing 24' wide driveway onto Angleberger Road that is shared with the 7-11 convenience store on Lot 1.

In addition, the Applicant constructed a second entrance, in accordance with the June 8, 2011 site plan approval, onto Angleberger Road directly across from the Leatherman Road approach. This second access will continue to serve as the public access for service and repair of RV's.

No access improvements are required or proposed as part of the current application.

2. **Connectivity §1-19-6.220 (F):** The Applicant has provided connectivity through a shared access with the adjacent 7-11 convenience store. Further connectivity is not necessary or appropriate at this time due to the Agricultural and Residential zoning of surrounding properties.
3. **Public Transit:** This site is not served by Transit.
4. **Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220:** Required automobile parking for the RV Sales and Service Center is calculated based on the provision of 2 spaces per service bay, plus 1.5 space per employee. The existing facility includes 6 service bays and the facility

Beckley's Camping Center Expansion

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employs 12 workers. Based on these factors, the existing facility requires 30 parking spaces which have been provided as part of previous approvals and construction. The proposed 100-space RV parking area does not increase the number of service bays or employees on-site and therefore does not require an increase in required automobile parking to serve customers and employees.

5. **Bicycle Parking §1-19-6.220 (H):** There is no bicycle parking required or proposed as part of this expansion.
6. **Pedestrian Circulation and Safety §1-19-6.220 (G):** The majority of the existing site and the proposed development are open paved parking areas. The type of land use on the site necessitates these large open areas for maximum maneuverability of large recreational vehicles. As part of previous applications, areas of pedestrian activity have been concentrated within the site to minimize potential conflicts. The proposed expansion is for the purpose of RV parking and does not include expansion of areas primarily devoted to pedestrian activity.

Public Utilities §1-19-3.300.4 (C): *Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.*

Findings/Conclusions

1. **Private Well and Septic:** The site is to be served by private well and septic and is classified NPS. The proposed RV parking expansion will not increase the number of employees working at the facility and does not require improvements to existing well and septic facilities. The Health Department has conditionally approved this development proposal.

Natural features §1-19-3.300.4 (D): *Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.*

Findings/Conclusions

1. **Topography:** The topography is rather flat, with slopes significantly less than 15%. The site sits slightly higher than the US 15 road bed.
2. **Vegetation:** The entire site is clear of any large stands of natural vegetation. The Applicant was required to add a landscaped buffer around the existing RV Sales and Service Center as part of the June 8, 2011 FCPC approval.
3. **Sensitive Resources:** There is a small area of wetlands located in the north east corner of the property. There is no proposed grading in that portion of the site; therefore, this area will remain in a green, vegetated state.
4. **Natural Hazards:** There are no natural hazards located on this site.

Common Areas §1-19-3.300.4 (E): *If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.*

Findings/Conclusions

1. **Proposed Common Area:** This site plan is a non-residential use and does not have any proposed common areas.
2. **Ownership:** This site is a non-residential place of business and is under single ownership.

Other Applicable Regulations

Moderately Priced Dwelling Units – Chapter §1-6A: The proposed use is non-residential; therefore, MPDU's are not required.

Stormwater Management – Chapter §1-15.2: Stormwater has been mitigated in accordance with the 2007 stormwater management guidelines. The entire 3.43-acre site was designed for stormwater as part of the June 8, 2011 FCPC approval.

Subdivision Regulations – Chapter §1-16: There is no subdivision activity proposed on site as part of this site plan application.

APFO – Chapter §1-20:

1. ***Schools.*** The site is a non-residential use and therefore is exempt from school testing.
2. ***Water/Sewer.*** The site is to be served by private well and septic and is classified NPS in the County's *Master Water and Sewer Plan* and is therefore exempt.
3. **Road Improvements:** The Project will generate 10 pm weekday peak hour trips, which does not meet the requisite 50 peak hour trip threshold required for APFO testing. However, the Developer is required to provide fair share contributions to existing escrow accounts per Section 1-20-12(H).

In full satisfaction of APFO requirements to mitigate site-generated trips, the Developer shall pay into County-held escrow accounts the following pro rata contributions:

1. No. 3742: US 15 Median Re-construction at and in vicinity of Devilbiss Bridge Road: The estimated cost of this Improvement is \$3,000,000. As determined by DPDR-Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.109%. Therefore, the Developer hereby agrees to pay \$3,270 to the escrow account for this Road Improvement.
2. No. 3805: US 15 Northbound Accel Lane Extension at Devilbiss Bridge Road: The estimated cost of this improvement is \$38,706. As determined by DPDR-Traffic Engineering Staff, the Developer's proportionate share of this Road Improvement is 0.58%. Therefore, the Developer hereby agrees to pay \$224 to the escrow account for this Road Improvement.

Therefore, prior to building permit issuance, the Developer hereby agrees to pay \$3,494 to the escrow accounts for these Road Improvements. Should these payments not be made within one year of the execution of this Letter, the County reserves the right to adjust this amount, based on an engineering cost index.

Period of Validity: The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval expires on July 10, 2016.

Forest Resource – Chapter §1-21: FRO exemption is approved on the basis that the previously approved FRO plan (11466) included the new area of development shown on the new site plan (13475), and all required FRO mitigation has been provided.

Historic Preservation – Chapter §1-23: There are no historic properties located on this site; however the site is adjacent to the federally- and locally-recognized Scenic Byway. The Applicant has worked with Staff to provide landscaping along the perimeter of the site that will provide screening and improve aesthetics.

Summary of Agency Comments

Other Agency or Ordinance Requirements	Comment
Development Review Engineering (DRE):	Conditional Approval
Development Review Planning:	Address all agency comments as the plan proceeds through to completion
State Highway Administration (SHA):	Approved
Div. of Utilities and Solid Waste Mngt. (DUSWM):	N/A
Health Dept.	Conditional Approval
Office of Life Safety	Approved
DPDR Traffic Engineering	Approved
Historic Preservation	Conditional Approval

RECOMMENDATION

Staff has no objection to conditional approval of the site plan and the adequate public facilities ordinance requirements. If the Planning Commission conditionally approves the site plan, the site plan and APFO is valid for a period of three (3) years from the date of Planning Commission approval.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following conditions are met:

1. Address all agency comments as the plan proceeds through to completion.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission **APPROVE** Site Plan 98-33, AP # 13475 **with conditions** as listed in the staff report **including APFO approval** for the proposed Beckley's RV Storage expansion, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

Exhibit #1 Site Plan Rendering: Beckley's RV Storage Expansion



Beckley's Camping Center Expansion

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**FREDERICK COUNTY GOVERNMENT
DIVISION OF COMMUNITY DEVELOPMENT**

Eric E. Soter, Division Director

*Planning & Development Review Department
Jim Gugel, Planning Director*

30 North Market Street
Frederick, Maryland 21701

www.FrederickCountyMD.gov
O: 301-600-1153 F: 301-600-2054

Commissioners

Blaine R. Young
President

C. Paul Smith
Vice President

Billy Shreve
David P. Gray
Kirby Delauter

Lori L. Depies, CPA
County Manager

ADEQUATE PUBLIC FACILITIES LETTER OF UNDERSTANDING

Beckley's Camping Center

Site Plan #SP98-33 AP #13582

In General: The following Amended and Restated Letter of Understanding ("**Letter**") between the Frederick County Planning Commission ("**Commission**") and Kelly T. Shanholtzer & John Craig Beckley (collectively, the "**Developer**"), together with its/their successors and assigns, sets forth the conditions and terms which the Commission deems to be the minimum necessary improvements dealing with school, water, sewer, and road improvements that must be in place for the property identified below to be developed, as proposed under the Beckley's Camping Center Site Plan (the "**Project**"), in compliance with the Frederick County Adequate Public Facilities Ordinance ("**APFO**").

The Developer, its successors and assigns, hereby agrees and understands that unless the required improvements (or contributions to road escrow accounts, as specified below) are provided in accordance with this Letter, APFO requirements will not be satisfied and development will not be permitted to proceed.

This Letter concerns itself with the Developer's 9.8 +/- acre parcel of land, which is zoned Commercial (GC), and located in the northeast quadrant of US 15 and Angleberger Road. This APFO approval will be for the expansion of an existing RV Sales and Service Center by constructing 100 RV parking spaces, which is shown on the site plan for the above-referenced Project, which was conditionally approved by the Commission on July 10, 2013.

Schools: Schools are not impacted because the development of the property is a non-residential use.

Water and Sewer: The Property has a water and sewer classification of No Planned Service (NPS) in the County's *Master Water and Sewer Plan* and is therefore exempt from APFO testing for public water and sewer.

Road Improvements: The Project will generate 10 pm weekday peak hour trips, which does not meet the requisite 50 peak hour trip threshold required for APFO testing. However, the Developer is required to provide fair share contributions to existing escrow accounts per Section 1-20-12(H).

In full satisfaction of APFO requirements to mitigate site-generated trips, the Developer shall pay into County-held escrow accounts the following pro rata contributions:

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Therefore, prior to building permit issuance, the Developer hereby agrees to pay \$3,494 to the escrow accounts for these Road Improvements. Should these payments not be made within one year of the execution of this Letter, the County reserves the right to adjust this amount, based on an engineering cost index.

Period of Validity: The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval expires on July 10, 2016.

Disclaimer: This Letter pertains to APFO approval only, and shall not be construed to provide any express or implied rights to continue the development process. The Project remains subject to all applicable rules and regulations, including but not limited to those related to zoning, water and sewer, and subdivision. The Planning Commission's jurisdiction and authority is limited by State and County law, and approvals may be required from other local or state governmental agencies before the proposed development can proceed.

[Signatures on next page]

DEVELOPER:

By: _____ Date:

Kelly T. Shanholtzer

DEVELOPER:

By: _____ Date:

John Craig Beckley

FREDERICK COUNTY PLANNING COMMISSION:

By: _____ Date:

Dwaine E. Robbins, Chair or William G. Hall, Secretary

ATTEST:

By: _____ Date:

Gary Hessong, Director, Permits & Inspections

Planner's Initials / Date _____

County Attorney's Office Initials / Date _____
(Approved as to legal form)